

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 15258US02)

In the Application of:

A. Rofougaran et al.

U.S. Serial No.: 09/634,552

Filed: August 8, 2000

For: ADAPTIVE RADIO TRANSCEIVER

Examiner: Nghi H. Ly

Group Art Unit: 2617

Conf. No.: 4410

Customer No.: 23446

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via EFS-Web to the United States Patent and Trademark Office on May 14, 2009.

/Michael T. Cruz/

Michael T. Cruz

Reg. No. 44,636

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Examiner's Statement of Reasons for Allowance ("the Examiner's Statement") in the above-identified application and accompanies the issue/publication fee transmittal (part B).

REMARKS

Applicants respectfully submit that the Examiner's Statement presents only some of the reasons for allowance of the claims, and that other reasons also exist for allowing the claims such as, for example, those set forth more completely in the record as a whole. This interpretation is consistent with M.P.E.P. § 1302.14, which states that any statement of reasons for allowance "[i]s not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state all the reasons for allowance are set forth." M.P.E.P. § 1302.14.

Applicants respectfully submit that the Examiner's Statement might imply that the dependent claims are only allowable because they depend from allowed independent claims. However, the Examiner's Statement does not discuss any of the other elements of the claimed subject matter, in particular, those additional elements recited in the dependent claims which may render the dependent claims independently allowable in view of the specification, prosecution file history and/or the documents made of record, either alone or in combination.

Finally, Applicants agree with the Examiner that claims 1-90, 92-129 and 164-168 are allowable in view of all of the documents made of record, either alone or in combination. However, Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. In closing, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue

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In Reply to Notice of Allowability mailed April 30, 2009

what is allegedly well known, allegedly obvious or allegedly disclosed, or to argue the characterization of the recited claim elements should that need arise in the future.

If the Examiner has questions, or if Applicants can be of assistance, the Examiner is invited and encouraged to contact Applicants' representative at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: May 14, 2009

Respectfully submitted,

/Michael T. Cruz/
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